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ute in at least twenty-six states. On the whole, the work presents the law on the topics treated by it in a brief and simple manner well calculated to serve the use of the practitioner.

J. I. W.

CASES ON CONSTITUTIONAL LAW. By Emlin McClain. Boston: Little, Brown & Co. 1900. pp. xxxi, 1079.

The announcement in the preface that this collection of cases is based on Judge Cooley's *Principles of Constitutional Law* somewhat disarms criticism of its plan. It will serve admirably as a supplement to Judge Cooley's book and should receive a ready welcome wherever that is the basis of instruction in Constitutional Law. The two books are alike in arrangement except in unimportant particulars. Professor McClain's cases are well selected, noticeably so in the chapter devoted to the power of the executive, and include the more important recent decisions. The ungrateful but necessary task of selecting portions of the original reports for omission has been accomplished with as little decrease in their value as legal data as could be expected. The difficulty of apportioning a comparatively limited space among many topics is also creditably dealt with, though one is inclined to think that the Admiralty and Maritime jurisdiction of the United States receives undue attention, as compared, for example, with the subject of Eminent Domain. A convenient innovation is found in the table of cases, which includes cases not printed, but cited and fully stated in opinions which are printed.

Without prejudice to the care and ability of which this case book gives every evidence, it is somewhat to be regretted that Professor McClain saw fit to hamper himself with the plan he has adopted. The value of the book for general use seems to be seriously impaired by the division and subdivision to which it has been subjected. Aside from the fact that the rather severe restrictions as to space necessarily render some of the numerous sections entirely inadequate to the requirements of their titles, the arrangement of the book tends to produce a narrow and technical treatment of particular clauses of the Constitution, to which the larger aspects of the subject are likely to be sacrificed. The nature of the judicial function under our constitutions, its political aspects, and the relation of the judiciary to the other departments of government are fundamental conceptions, a grasp of which is essential to the intelligent handling of particular problems. They demand a broad and thorough treatment, and are rather more important to the student than is the accurate classification of cases under particular provisions of the Constitution. The emphasis necessary for the purposes of the average course in Constitutional Law can hardly be laid on them when the subject is carved into as many separate topics as there are clauses in the Constitution.

F. E. H.

We have also received:—

A SELECTION OF CASES AND STATUTES ON THE PRINCIPLES OF CODE PLEADING. By Charles M. Hepburn. Cincinnati: W. H. Anderson & Co. 1900. pp. 160. This is the second installment of a work which, when completed, will amount to some six hundred pages. The first part was reviewed in 13 HARVARD LAW REVIEW, 531. The pages now before us deal chiefly with the interpretation of the general code provision that

every action must be prosecuted in the name of the real party in interest, except in certain specified instances. The cases are well chosen, many of them illustrating not only mere questions of procedure, but also important rules of substantive law.

LEGALIZED WRONG. A Comment on the Tragedy of Jesus. By Robert Clowry Chapman. Chicago: Fleming H. Revell Company. 1899. pp. 31. This book discusses the legal aspect of the trial of Christ by the Jews. Owing to the remarkable silence of contemporary historians as to this event, the author's conclusions are not as definite as one could wish. The book is certainly both novel and interesting, but its extreme brevity detracts greatly from its value.

NOTES ON THE LAW OF TERRITORIAL EXPANSION, with especial reference to the Philippines, submitted to the Committee of the Judiciary of the Senate of the United States, March 16, 1900. By Carman F. Randolph, of the New York Bar. pp. 54.

A TREATISE ON THE LAW OF EVIDENCE. By Simon Greenleaf. In three volumes. Vols. II. and III. Sixteenth Edition, by Edward Avery Harriman. Boston: Little, Brown & Co. 1899. pp. xcvi, 638; xliii, 542. *Review will follow.*

REPORT OF THE EXECUTIVE COMMITTEE OF THE NATIONAL ASSOCIATION OF REFEREES IN BANKRUPTCY concerning proposed amendments to the Bankruptcy Act of 1898. March, 1900. Buffalo: The Matthews-Northrup Co. pp. 106.

THE CIVIL LAW IN SPAIN AND SPANISH AMERICA. By Clifford Stevens Walton. Washington: W. H. Lowdermilk & Co. 1900. pp. xix, 672. *Review will follow.*

MARTIN'S LEGAL SYNOPSES OF NEGOTIABLE INSTRUMENTS. By Alfred H. Martin, of the Buffalo Bar. 1900. pp. 15.